

**DRAFT MINUTES
TOWN OF VERNON
Planning & Zoning Commission (PZC)
Meeting Notice
Thursday, January 21, 2010, 7:30 PM
Council Chambers, Third Floor
Memorial Building, Vernon Town Hall
14 Park Place
Rockville/Vernon, CT**

RECEIVED
VERNON TOWN CLERK
10 APR 16 AM 8:36

1. Call to Order & Roll Call
 - **Meeting was called to order at 7:07 P.M.**
 - **Regular Members Present:** Lester Finkle, Chester Morgan, Francis Kaplan, Walter Mealy. Sarah Iacobello entered the meeting at 7:28 P.M. Keith Lauzon entered the meeting at 7:16 P.M.
 - **Alternate Members Present:** Charles Bardes. Charles Bardes to sit for Watson Bellows.
 - **Staff Present:** Leonard Tundermann, Town Planner, Terry McCarthy, Town Engineer and Craig Perry, Inland Wetlands Agent.
 - **Recording Secretary:** James Krupinski
2. Administrative Actions/ Requests
 - 2.1 Communications received NOT related to Agenda items
 - **Connecticut Association of Wetland Scientists (CAWS) meeting brochure scheduled for February 23, 2010.**
 - **Connecticut Town and City Newsletter from Connecticut Conference of Municipalities (CCM) for December 2009.**
 - 2.2 Amendment / Adoption of Agenda - Additional business to be considered under agenda item #6 "Other Business"
 - **Chester Morgan, seconded by Francis Kaplan moved a Motion to Adopt the Agenda. Motion carried unanimously.**
 - 2.3 Acceptance of Minutes
 - **None**
3. Public Hearings
 - 3.1 Application [PZ-2009-27] of Roland Violette for approval of a Site Plan of Development for a bulk petroleum storage and wholesale distribution facility for propane at #60-62 Industrial Park Road (Assessor's ID: Map # 30, Block #0133, Lot/Parcel 0005G)
 - **Leonard Tundermann, Town Planner read the Legal Notice into the Record.**
 - **North Central District Health Department has not approved required sections of the application.**
 - **Richard Leightonbrook presented NFPA 58 Fire Safety requirements Slideshow.**

- **Keith Lauzon entered the Meeting at 7:16 P.M.**
- **Second Slideshow was shown regarding the Implementing Plan for the Proposed Plant.**
 - **Maximum of 80-85% of tank of tank storage;**
 - **ACME Standard Tank;**
 - **Valve required 10 psi to open**
- **Sarah Iacobello entered the meeting at 7:27 P.M.**
- **Traffic Authority schedule for review on February 15, 2010.**
 - **Proposing qty 6-30,000 gal tanks;**
 - **Supplied Prospective Fire Safety Analysis (Tentative)**
 - **Reviewed Erosion & Sediment Control Plan and Existing and Proposed Grading for the Site.**
- **Chester Morgan questioned bullets #3-4 of the North Central District Health Department (NCDHD) memorandum dated December 18, 2009.**
- **Leonard Tundermann, Town Planner indicated that an approved sign-off has not yet been received.**
- **Roland Violette Jr., Preferred Propane – Has spoken to the Surveyor completing the work:**
 - **Perk test was completed not deep test holes;**
 - **Septic System was not proposed for the site;**
 - **Would complete plans for septic if required to move forward.**
- **Walter Mealy, seconded by Chester Morgan moved a Motion to Continue to the February 4, 2010 meeting. Motion carried unanimously.**

3.2 Application [PZ-2010-01] of Elisha Williams for a Special Permit for Massage Therapy at 428 Hartford Turnpike (Assessor's ID: Map #11, Block #140, Lot/Parcel #0004)

- **Leonard Tundermann, Town Planner read the Leagl Notice into the Record.**
- **Elisha Williams, Owner/Applicant, Absolute Wellness LLC.**
 - **Will be expanding to a full Wellness center;**
- **Leonard Tundermann, Town Planner:**
 - **Located in Commercial Zone – Requires Special Permit.**
 - **Requires compliance with §17.3;**
 - **Needs to meet Zoning Regulations 4.9.4.23, 4.9.4.23.1, 4.9.4.23.2 and 4.9.4.23.3**
 - **Public Comment – None**
 - **Public Hearing was closed at 7:40 P.M.**
 - **Chester Morgan, seconded by Francis Kaplan moved a Motion to Approve the Application and finds that it complies with §17.3 of the Zoning Regulations. Motion carried unanimously.**

3.3 Continued Hearing for Application [PZ-2009-26] of Ticket Network LLC for a Special Permit/Site Plan of Development for a Commercial Recreational Facility at #60 South Frontage Road (Assessor's ID: Map #29, Block #134, Lot/Parcel # 00001)

- **Lester Finkle reconvened the continued Public Hearing.**
- **The public was requested to utilize the signup sheets located in the rear of the room for the Public Testimony section of the Public Hearing.**

- **Dorian Famiglietti, Kahan, Kerensky & Capposela representing the applicant Donald Vaccaro.**
 - Supplied extension for the application and requested possible Special Meetings to complete the application.
 - Reviewed questions to define Event and Weekend
 - **EVENT – Defined as a Concert;**
 - **WEEKEND – Defined as Friday evening, Saturday Evening and Sunday Evening. Will not be held on every weekend day.**
 - No concerts would be planned for the July in the Sky evening at the request of the Police Chief.
 - Concerts possibly held on Memorial Day, July 4th and Labor Day holidays. Would not hold one on Columbus Day.
 - Unlikely for holding a Holiday concert due to cost.
 - Events are proposed to begin at 7:00 P.M. and end at 12:00 A.M. Would be willing to end by 11:30 P.M.
- **Donald Vaccaro, TicketNetwork – reviewed previous presentation.**
 - <2,000 capacity at the venue.
 - Reviewed rain cancellation policy.
 - Listed similar venues in New England.
- **Attorney Famiglietti – Traffic Impact questions from previous meeting.**
 - Supplied resume for Jim Bubaris.
 - Spoke to comments from the Police Chief regarding issue in covering the venue by the Police Department. Chief Kenny issued a security memorandum for the Applicant to meet and discuss acts coming to the venue for adequate coverage. Police Chief has spoken to South Windsor, Manchester for support and would post for Private Security work.
- **Chester Morgan was concerned with the possibility of staffing issues and removing officers for major incidents.**
- **Attorney Famiglietti requested discussion regarding how parking would be facilitated on site and off site**
- **Attorney Famiglietti supplied memorandum regarding “Parking Logistics/Arrival/Departure Procedures (Appendix)**
 - Arrivals based on Department of Transportation (DOT) worst case scenario of 80% arriving at the site during peak arrival 6:00 P.M. to 7:00 P.M. Based on Exhibit #8 of the Traffic Report.
 - Based on 828 available parking spaces for the venue.
 - 57 spaces have been set aside for staffing and adjacent business.
 - Terry McCarthy requested review of Bolton Road for new counts due to construction during previous counts to be supplied at a later meeting.
 - Supplied proposed Temporary Traffic Signage (Appendix)
- **Charles Bardes questioned parking presentation showing payment areas.**
- **Attorney Famiglietti indicated it was built into the presentation to account for vehicles without parking passes.**
- **Chester Morgan questioned if the walking path would be lighted for access to the site at dusk and two (2) hours after the concert.**

- **Attorney Famiglietti would be lighted at grounds opening or dusk until two (2) hours after the concert.**
 - **Have on site officers and EMT if needed should an accident happen during the concert arrival and departure period.**
 - **Supplied Plan – Lane Widths Packet (5 sheets) (Appendix)**
- **Attorney Famiglietti reviewed departure concerns raised by Chester Morgan:**
 - **Possible backup at Route 30 – Bolton Road intersection is Level B (175 cars);**
 - **To remain a Level B service with 46 additional cars;**
 - **Police Chief felt the exiting traffic would not be an issue.**
 - **Possible issue with exiting traffic from Interstate 84 using right lane to exit.**
 - **Should not cause any significant issues. (Table 4 of the Traffic Report addresses Levels of Service.)**
- **Dorian Famiglietti reviewed possible alternate traffic using Exit 67 and coming to the site by Route 30. Currently handling 235 cars and expects possible increase of 1% or eight vehicles would not have an impact.**
- **Five (5) minute recess at 9:00 P.M.**
- **Meeting was reconvened at 9:15 P.M.**
- **Lester Finkle announced a Special Meeting would be held on February 3, 2010 prior to the next regular meeting on February 4, 2010.**
- **Bennett Brooks, Brooks Acoustics Corporation, 30 Lafayette Square**
- **Attorney Famiglietti supplied resume of Bennett Brooks.**
- **Mr. Brooks felt there would be little or no impact to residential properties.**
 - **Meets State of Connecticut DEP Noise Regulations §22a-69;**
 - **Reviewed Concert Sound Management Program**
 - **Heavy sound isolation construction design for the event stage envelope with extensive noise control acoustical absorption material applied inside;**
 - **Placement of the stage at a low elevation, facing Interstate Highway I-84 to take advantage of the benefits provided by the multiple barriers formed by the natural terrain and buildings around the venue;**
 - **Sound management protocol to reduce entertainment sound levels.**
 - **Terrain design should reduce noise levels from the site.**
 - **Sound levels can be controlled during the concert venue.**
 - **Test Locations: Estelle Drive and Tunnel Road, 20 Ferguson Road, Elizabeth Lane, Bolton Road and Valley Falls Road. (Attachment)**
 - **Front of House (FOH) read at 90dBA and peaked at 110 dBA**
 - **Based on simulations estimated 40 dBA at residences to the south.**
- **Francis Kaplan questioned the controls that would be in place to limit levels and who handles monitoring.**
- **Mr. Brooks indicated limitations will be placed on the venue. TicketNetwork would control levels for compliance by venue artist by contract.**

- Chester Morgan questioned if different levels are allowed based on different areas.
- Mr. Brooks indicated 55dBA during daytime hours 7:00 A.M. to 10:00 P.M. 45 dBA during night 10:00 P.M. to 7:00 A.M.
 - High Background Allowance – any exceeded limit will allow for additional 5dBA limit.
 - Allowable limits are based on property lines.
- Attorney Famiglietti indicated she was present during the testing and indicated the music was not audible at the test locations.
- Mr. Brooks indicated that staging is designed to prevent noise levels to the rear of the site.
- Walter Mealy questioned the testing of noise levels from concert goers during lower sound levels.
- Mr. Brooks stated he expected concert goers would keep levels below the concert to hear the concert.
- Walter Mealy questioned the concert speaker height from ground level during concerts.
- Mr. Brooks indicated the speakers would be at a height of 20'.
- Walter Mealy questioned would control the sound levels.
- Attorney Famiglietti stated TicketNetwork will be using staff to control the levels at 95 dBA maximum.
 - Suggested sound controller is qualified to operate
 - Yearly training is proposed for staff to operate the soundboard.
- Walter Mealy questioned if multiple concerts would take place.
- Attorney Famiglietti indicated there is the potential for multiple concerts, more likely one concert per weekend.
- Attorney Famiglietti stated there would be a maximum of 20 days of concerts.
- Charles Bardes questioned sound level monitoring would be done off site.
- Mr. Brooks indicated off-site monitoring is not currently being considered.
- Sarah Iacobello questioned why actual concert speakers were not utilized for testing. What recourse is available if the levels are exceeded?
- Mr. Brooks indicated the speakers utilized were to determine the worst case scenario.
- Attorney Famiglietti suggested stage individuals at control points with noise monitoring for the first couple of concerts and inform Town Staff of read levels.
- Leonard Tundermann, Town Planner questioned calls to the Police Department during the sound test.
- Mr. Brooks indicated one person had stopped by the site during the test. Have requested the complaint reports to determine issues.
- Chester Morgan, seconded by Keith Lauzon moved a Motion to Continue the Application to a Special Meeting on February 3, 2010 at 7:00 P.M. Senior Center, 2nd Floor, 26 Park Place. Motion carried unanimously.

- **Chester Morgan, seconded by Walter Mealy moved a Motion to Extend the Meeting for Five (5) minutes. Motion carried unanimously. Meeting was extended to 10:35 P.M.**

4. Old Business

4.1 Plan of Conservation and Development

- **Continue on Agenda**

4.2 Other zoning regulation changes for consideration:

- a. Low Impact Development (LID)
- b. Garden zone;
- c. Requiring sewers for development within aquifer protection zones;

- **Continue on Agenda**

5. New Business.

5.1 Receipt of Applications:

5.1.1 Application **[PZ-2010-02]** of Lee & Lamont Realty for a Zone Change from Neighborhood R-10 to Comprehensive Multi-Family Dwelling Zone and a Preliminary Plan of Development for 35 total Dwelling Units at #41 Pleasant Street and #25 Snipsic Street (Assessor's ID: Map# 41, Block #0015, Lot/Parcel #00028 & 00007)

- **Leonard Tundermann, Town Planner indicated that application requires a Public Hearing and suggested March 4 or March 18 to open the Public Hearing.**
- **Francis Kaplan, seconded by Walter Mealy moved a Motion to Receive and Schedule a Public Hearing for March 18, 2010. Motion carried unanimously.**

6. Other Business

6.1 Additional business to be considered should be introduced under PZC meeting agenda item “#2.2 Amendment / Adoption of Agenda” at the beginning of the meeting.

7. Adjournment.

- **Francis Kaplan, seconded by Keith Lauzon moved a Motion to Adjourn. Motion carried unanimously.**
- **Meting adjourned at 10:30 P.M.**

James Krupinski
Recording Secretary.

Attachment



Temporary Traffic Signage



Height: 45"

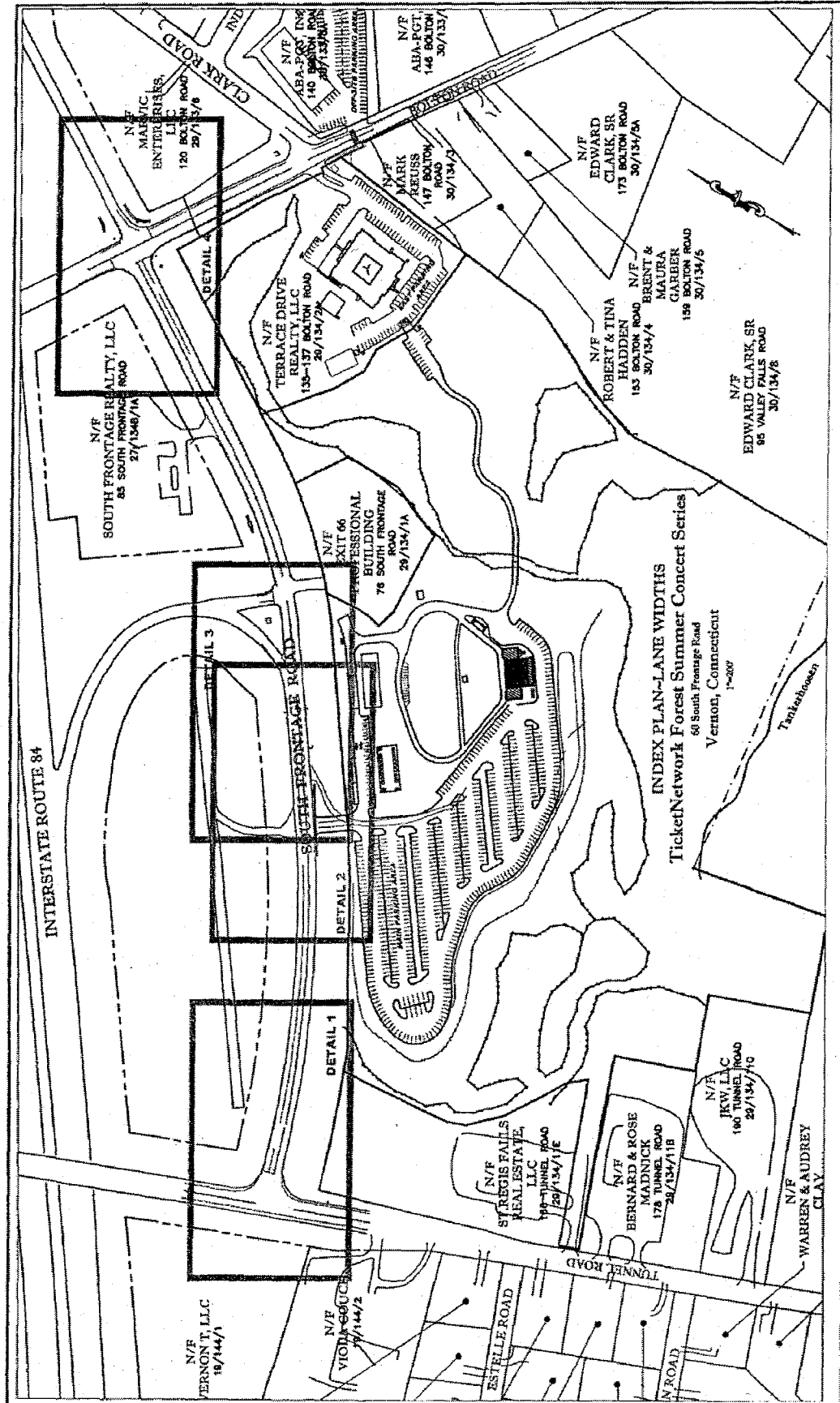
Width: 25"

Lightweight, plastic frame. Easy to carry and store.

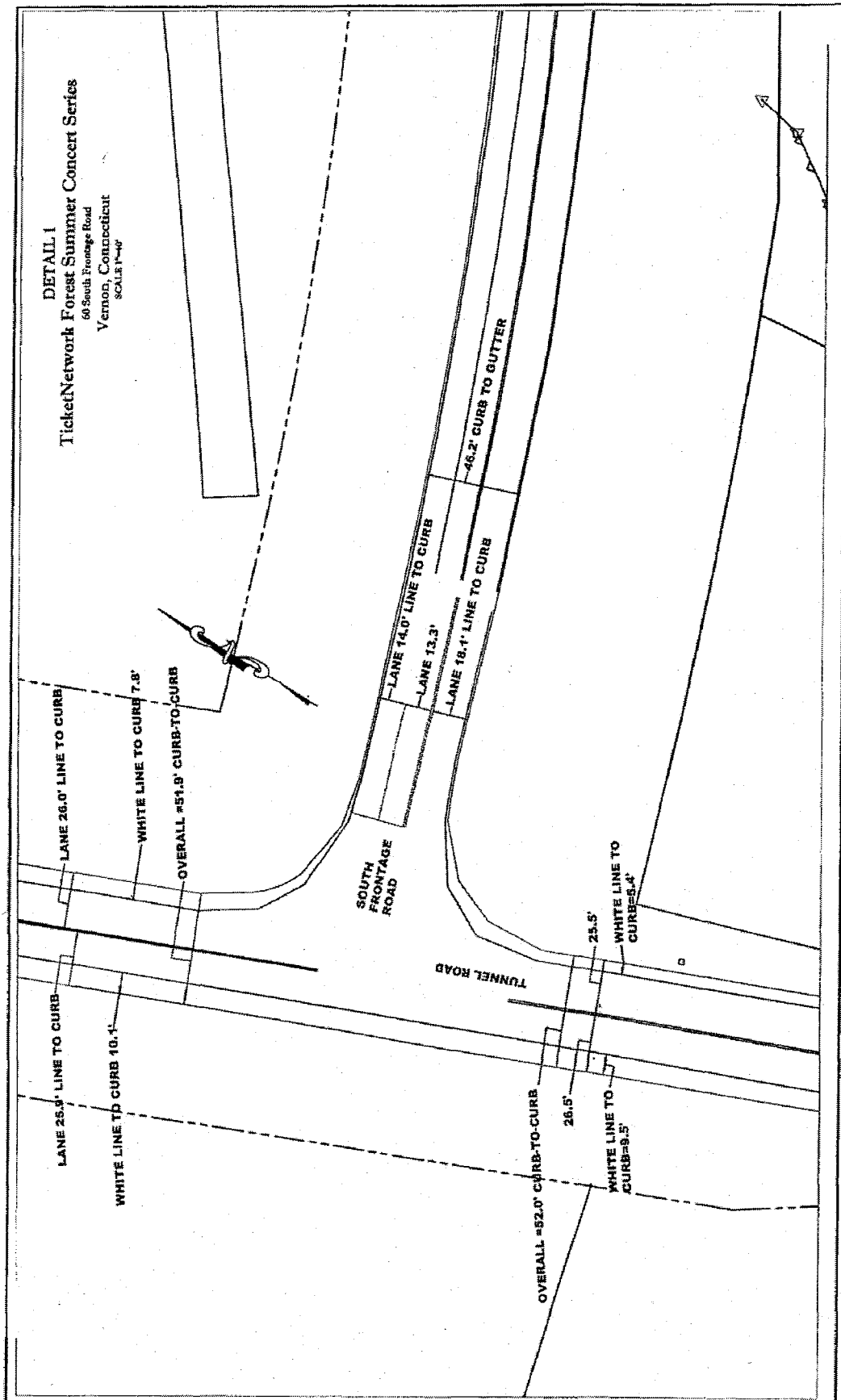
Sandbag slot for extra weight.

Sign will be adjusted for directional usage.

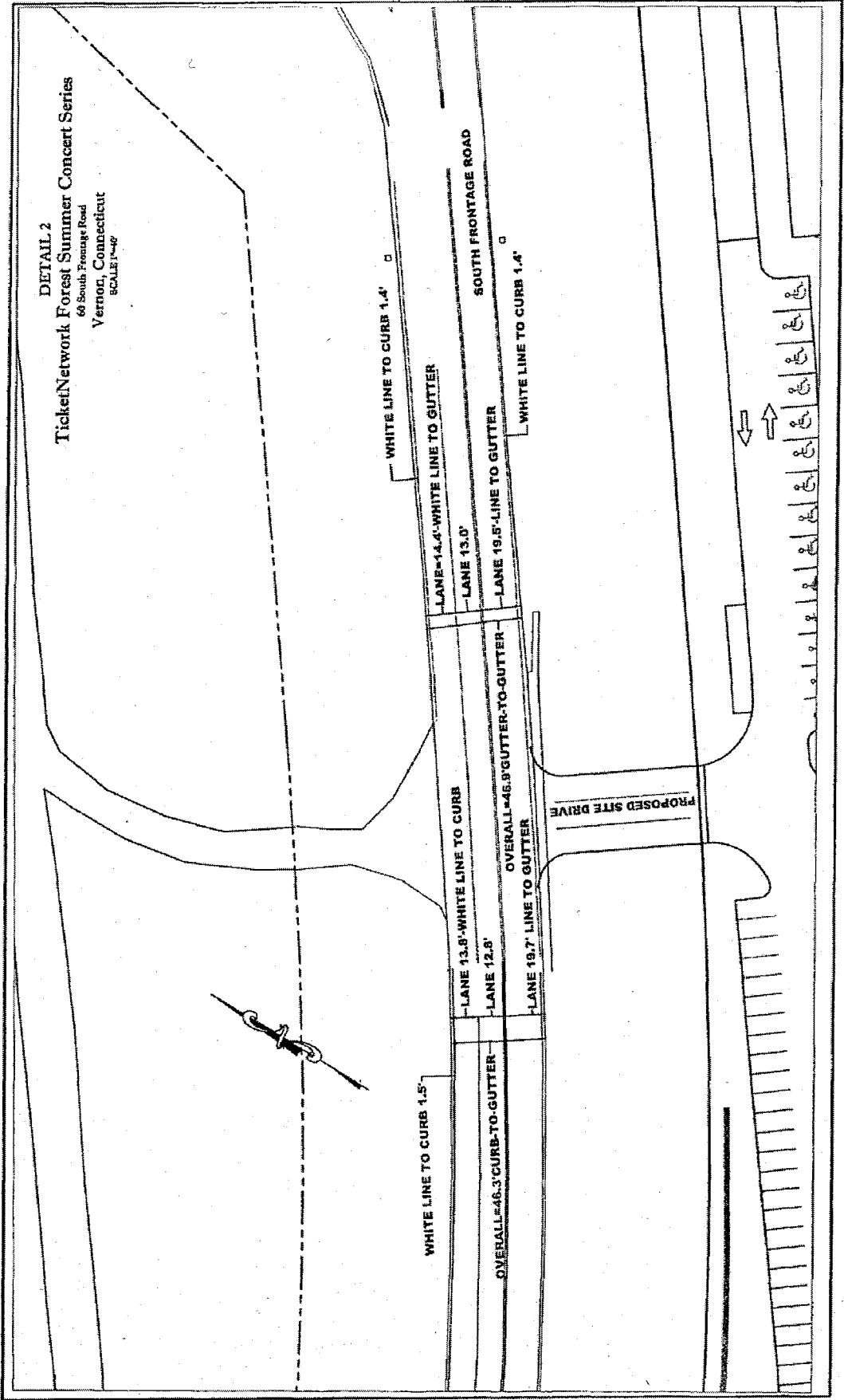
Attachment

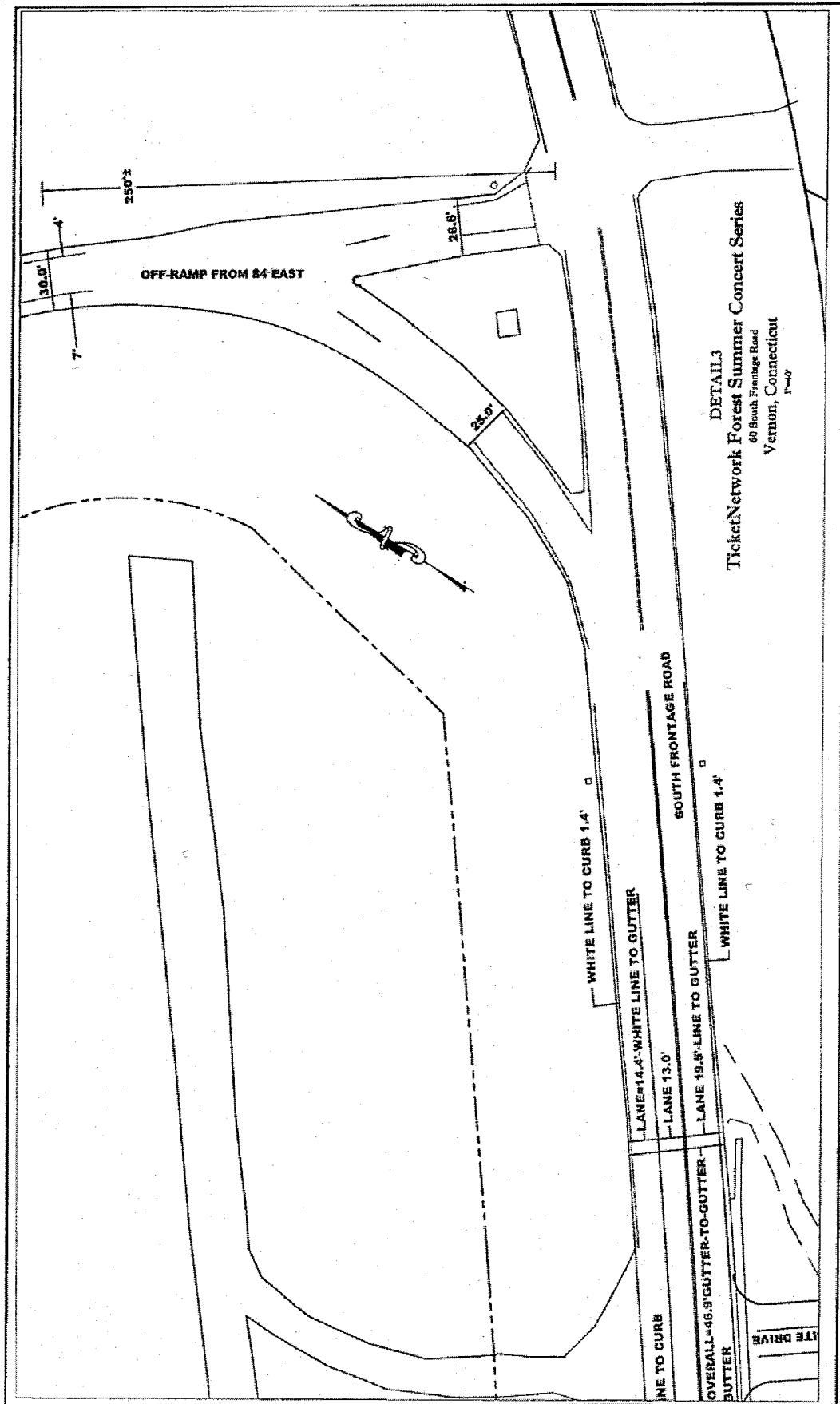


Attachment

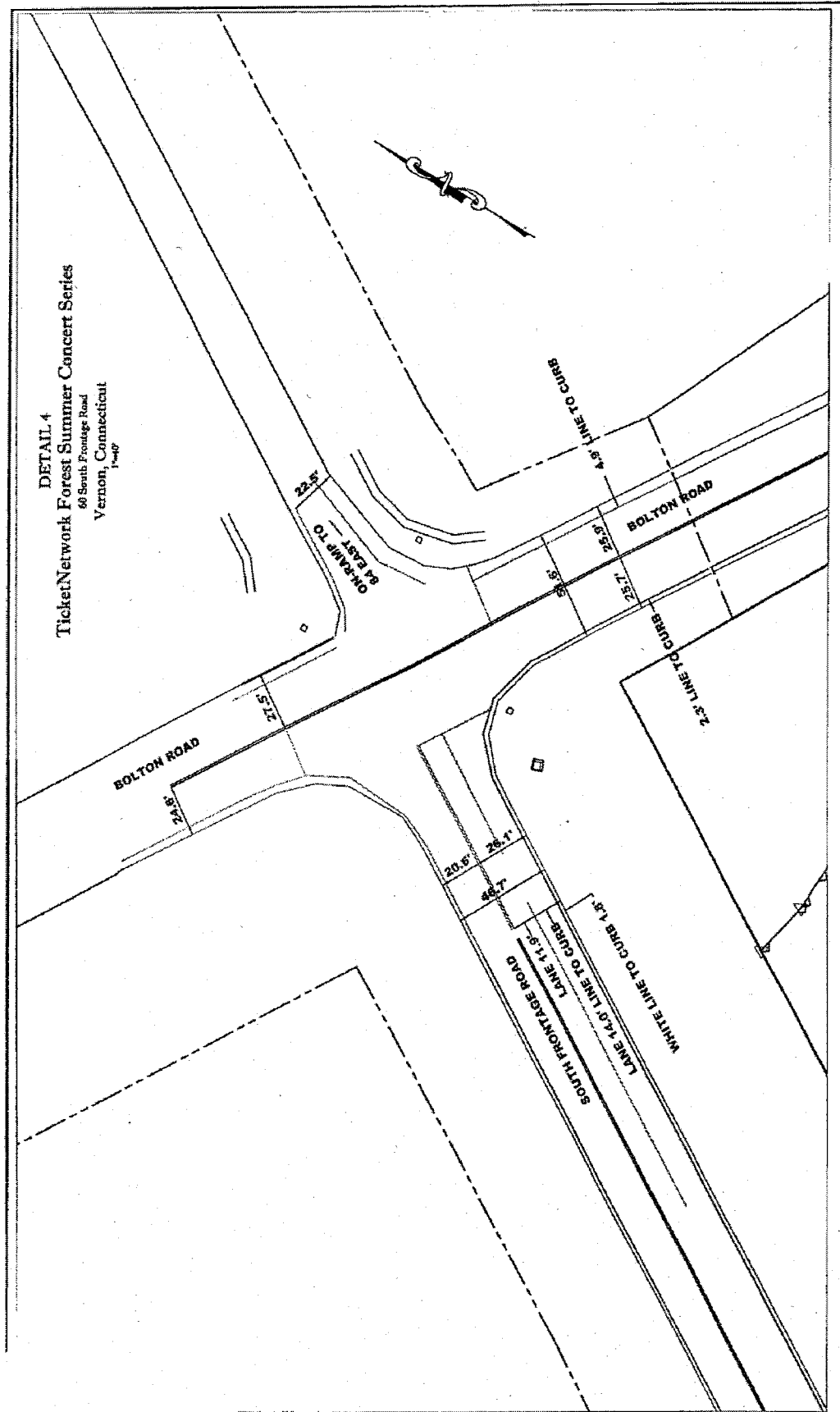


Attachment





Attachment



Attachment

BAC Project Letter PJ2009-0988-L01

Table 1

Ticket Network
Music Theater Study
Vernon, CT

TABLE 1**SOUND MEASUREMENT POSITIONS**

Position	Description of Position
1	Corner of Estelle Drive and Tunnel Road 10 ft (W) from Tunnel Road travel lane. GPS coordinates N 41° 49' 46.0" W 72° 27' 54.9"
2	20 Ferguson Road 10 ft (N) from Ferguson Road travel lane. GPS coordinates N 41° 50' 9.1" W 72° 27' 50.8"
3	Elizabeth Lane In Sales Office parking lot, across from 12 Elizabeth Lane. GPS coordinates N 41° 49' 57.3" W 72° 28' 8.4"
4	Bolton Road 6 ft (W) from Bolton Road travel lane. Across from 176 Bolton Road (Industrial facility) GPS coordinates N 41° 49' 57.7 W 72° 27' 20.8"
5	Valley Falls Road In Town of Vernon recreation area. 20 ft (N) from Valley Falls Road travel lane. Across from 50 Valley Falls Road (residence). GPS coordinates N 41° 49' 37.6" W 72° 27' 37.7"

Attachment

BAC Project Letter PJ2009-0988-L01

Table 2

Ticket Network
Music Theater Study
Vernon, CT

Table 2

ACOUSTICAL INSTRUMENTATION SYSTEMS**24 September and 4 October 2009****Data Acquisition Equipment**

1. Norsonic Instruments - Digital Precision Sound Level Analyzer - Model NOR140,
S/N 1403462
 - Microphone - Model 1225, S/N 98505
 - Acoustical Calibrator - Model 1251, S/N 32064
2. CEL Instruments - Digital Sound Level Analyzer - Model 593.C1R/2M,
(9/24 only) S/N 2/0481348
 - Microphone - 1/2 Inch Model CEL-250, S/N 1284
 - Microphone Preamplifier - Model CEL-525, S/N 0868831
3. Brüel and Kjær - Digital Sound Level Meter - Model 2232, S/N 964364
Instruments
4. Taylor Instruments - Sling Psychrometer - Meter No. 1328
5. Extech Instruments - Mini Thermo-Anemometer - Model 45158

Laboratory Playback and Analysis Equipment

1. Norsonic Instruments - NorXfer Analyzer Software
2. CEL Instruments - CEL Soundtrack dB1 & dB2 v3.0, Sound Analyzer Software
(9/24 only)
3. Intel - Computer workstations with serial/USB interfaces
4. Microsoft - Excel 2003 Spreadsheet Program
5. Brooks Acoustics - BAC Proprietary Data Analysis Software

Attachment

BAC Project Letter PJ2009-0988-L01

Table 3

Ticket Network
Music Facility
Vernon, CT

Table 3Measured Sound Level Data -- Simulated Concert TestSurvey Test 24 September 2009 approx. 2 - 5 pm

Position		Time	Comments	Measured Average Leq (dBA)	Measured Background L90 (dBA)
1	Estelle Dr & Tunnel Rd	2:30 PM	Cars, trucks on Tunnel Rd - I-84 traffic - music not audible	72	57
2	20 Ferguson Road	2:50 PM	Cars, trucks on Ferguson Rd - I-84 traffic - music not audible	67	57
3	Elizabeth Lane	3:10 PM	Car & truck on Elizabeth Ln - I-84 traffic - music not audible	57	55
4	Bolton Road	3:39 PM	Cars on Bolton Rd - I-84 traffic - music not audible	63	53
5	Valley Falls Road	4:25 PM	Cars, trucks on Valley Falls Rd - I-84 traffic music occasionally audible	58	54

BAC Project Letter PJ2009-0988-L01

Table 4

Ticket Network
Music Facility
Vernon, CT

Table 4

Measured Sound Level Data -- Ambient Background Noise TestSurvey Test 4 October 2009 approx. 8 - 11 pm

Position	Time	Comments	Measured Average Leq (dBA)	Measured Background L90 (dBA)
1 Estelle Dr & Tunnel Rd	8:54 PM	Cars, trucks on Tunnel Rd - I-84 traffic, insects	66	56
2 20 Ferguson Road	9:11 PM	Cars, trucks on Ferguson Rd - I-84 traffic, insects	64	59
3 Elizabeth Lane	9:29 PM	I-84 traffic, insects	60	58
4 Bolton Road	9:53 PM	Cars on Bolton Rd - I-84 traffic, jet planes, insects	55	48
5 Valley Falls Road	10:23 PM	Truck on Valley Falls Rd - I-84 traffic, jet plane, insects	55	51